

OVERVIEW AND SCRUTINY COMMISSION

20 MARCH 2019

(7.15 pm - 9.45 pm)

PRESENT: Councillors Peter Southgate (in the Chair), Peter McCabe, Laxmi Attawar, John Dehaney, Sally Kenny, Paul Kohler, Rebecca Lanning, Owen Pritchard, David Williams and Thomas Barlow

Co-opted Member Helen Forbes

ALSO PRESENT: Rachael Wardell (Director, Children, Schools & Families Department), Sophie Ellis (Assistant Director of Customers, Policy and Improvement), Karin Lane (Head of information governance) and Julia Regan (Head of Democracy Services)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies were received from Councillor Oonagh Moulton (substituted by Councillor Thomas Barlow) and from co-opted members Emma Lemon and Colin Powell.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the meeting held on 25 January 2019 were agreed as an accurate record.

4 ACCESS TO SERVICES THROUGH THE COUNCIL'S WEBSITE - THE CONCLUSION OF THE CUSTOMER CONTACT CONTRACT (Agenda Item 4)

The Chair advised that as much of the discussion of this agenda item should take place in public as possible.

The Assistant Director of Business Improvement, Sophie Ellis, drew the Commission's attention to the key points in the public report – 50% of the 156 specified outcomes have been achieved as have 62% of the automated transactions, new hosting and support arrangements are in place, website traffic has increased even though the new website has not been promoted. Sophie Ellis said that work to improve the website will continue and that examples of what this would include are given in Appendix B.

Members commented that the spike in web and phone transactions in September 2018 was largely due to difficulties experienced in contacting Veolia and getting

responses from them at that time. Sophie Ellis said that the data has been analysed and the contact comprised largely requests for information and containers.

In response to a question about members of the public being able to continue to contact the council by phone, Sophie Ellis reassured the Commission that phone contact was an integral part of the customer contact strategy and would not be withdrawn.

In response to a question about the priorities and timetable for delivering the rest of the project outcomes, Sophie Ellis said that the main focus would be to develop the remaining online transactions and refine existing customer accounts.. She explained that some actions would be quick to complete and others would take longer, also that a range of providers would be used in order to avoid over-reliance on one provider. There will be a pause in work when MS Office 365 is installed and, until the MS provider has been appointed, it will not be possible to predict how long that pause will be or exactly when it will take place.

Members of the Commission asked why new providers had been appointed prior to completing the review of lessons learned from the previous contract. Sophie Ellis said that this had been a pragmatic decision to keep the project moving forward and deliver some of the remaining smaller items of work quickly pending the lessons learned review.

The Commission RESOLVED to move to a closed session in order to discuss the exempt report that had been provided to them. The rest of this minute is a public record of this discussion, without inclusion of any commercially sensitive information.

Public minute of closed session

Sophie Ellis outlined the difficulties that had been experienced with the contract and on the actions consequently taken by the council. The Commission discussed the confidential financial information that was provided in an exempt appendix to the report and were given additional information in response to questions about the expected cost of completing the remaining parts of the project.

Members of the Commission stressed the importance of learning from this project to future proof subsequent projects and to compartmentalise risk. They also stressed the importance of listening to the views and experiences of service users and staff.

It was RESOLVED that a future report on lessons learned should be brought to the Commission's financial monitoring task group.

5 GENERAL DATA PROTECTION REGULATION (GDPR) (Agenda Item 5)

The Head of Information Governance, Karin Lane, provided an overview of the presentation slides that were included in the agenda papers and drew the Commission's attention to the policies and procedures that were in place, the regular ongoing training that is provided and the potential for fines to be imposed in relation to data breaches, including loss or misuse of information.

Karin Lane provided additional information in response to questions:

- Council staff are encouraged to report all data breaches, no matter how minor, so that these are logged and can be learnt from. Many of these are minor breaches such as loss of IT tokens or mobile phones.
- No serious incidents have been reported to the Information Commissioner's Office in the last 12 months.
- There has been a slight increase in the number of subjects access requests. These are logged centrally and then passed to the relevant department for action.
- Most local authorities, including Merton, used existing staff to carry out the new requirements of the GDPR/DPA Act 2018 as these were on a par with previous duties and expertise.
- Schools are registered as data owners and have responsibility for their own data. There is a data protection officer in the council's Children Schools and Families Department who can advise.
- Councillors should always use their secure Merton email account for correspondence (and not use a personal email address as this is insufficiently secure), and should be careful about who they share information with. Karin Lane undertook to provide regular bulletins of "top tips" to councillors, similar to those provided to staff.

ACTION: Head of Information Governance

6 GOVERNMENT RESPONSE TO THE COMMUNITIES AND LOCAL GOVERNMENT COMMITTEE REVIEW OF THE EFFECTIVENESS OF OVERVIEW AND SCRUTINY COMMITTEES (Agenda Item 6)

The Chair introduced the item and said that the new statutory guidance has still not been published by the government. He said that it was anticipated that the guidance would not be overly prescriptive so that authorities would be able to implement in a way that was appropriate to their organisational culture. He drew members' attention to a proposal for the Commission to carry out a review of the scrutiny function, hopefully with support from the Centre for Public Scrutiny, to further improve the effectiveness of scrutiny in Merton.

In discussing the government's response to the select committee's recommendations, members of the Commission agreed that they wish to encourage greater and more meaningful involvement of the public in scrutiny.

Suggestions as to how to do this included provision of more informal opportunities to give views, looking at anonymised case studies setting out service user experiences, reaching out through visits and discussions with frontline staff, holding meetings in other locations, involving the youth parliament. Members agreed that the review of the scrutiny function should address ways of improving public engagement in scrutiny.

It was also suggested that the Commission may wish to take a report on community engagement next year, with a focus on involving the public in all aspects of governance.

ACTION: Head of Democracy Services

The Commission RESOLVED to carry out a review of the overview and scrutiny function in Merton and to develop an improvement programme, preferably with assistance funded by the Local Government Association (LGA) and carried out by the Centre for Public Scrutiny. In response to a request from two members to include an assessment of alternative models of governance, the Head of Democracy Services said that this would be outside the scope of the LGA funding and would have to be resourced separately.

7 ACTION PLAN UPDATE ON RECOMMENDATIONS OF THE RECRUITMENT AND RETENTION OF TEACHERS SCRUTINY TASK GROUP (Agenda Item 7)

The Director of Children Schools and Families, Rachael Wardell, introduced the updated action plan and detailed the action that had been taken and progress made since the initial action plan was reported to the Commission in September 2018. She highlighted the work undertaken by Attain, previously known as the School Effectiveness Partnership, with recruitment now identified as a key priority for the partnership.

In response to a question, Rachael Wardell said that Merton schools have a good reputation and, although there are pockets of recruitment difficulties from time to time, overall the authority does not have a recruitment problem. She said that there was no room for complacency, particularly in the context of house prices, and that she would continue to keep a close eye on the situation and would welcome scrutiny in future should the situation deteriorate.

Rachael Wardell undertook to provide further detail on action taken in response to recommendation 14 to explore the setting up of a rent deposit scheme for teachers. The Head of Democracy Services, Julia Regan, undertook to find out if recommendation 15, a briefing to the Sustainable Communities Overview and Scrutiny Panel on the Mayor of London's London Living Rent Initiative, had been received.

ACTION: Head of Democracy Services

Members of the Commission said that they were encouraged by the amount of progress that had been made, particularly on the appointment of the Attain partnership co-coordinator, the use of the e-teach site and the more personalised approach taken to recruitment, wider routes available for apprenticeships and options for professional development.

The Commission RESOLVED that it was satisfied with progress made with implementation of the task group's recommendations and that there was no need for a further update on the action plan.

8 DRAFT MINUTES OF THE FINANCIAL MONITORING TASK GROUP, 25 FEBRUARY 2019 (Agenda Item 8)

Noted.

9 DISCUSSION OF QUESTIONS FOR THE BOROUGH COMMANDER (Agenda Item 9)

The Commission RESOLVED to forward the following questions to the Borough Commander for a written response to be included in the agenda pack for the meeting on 24 April:

- what are the police doing to limit the theft from vehicles and theft of vehicles, also in particular the short term rise in theft of cat converters in certain types of vehicles (but not others)
- what are the police doing to tackle the rise of 'organised' begging and 'false homeless people', including scammers and trouble makers
- why is it that the Police do not impound van and lorries without road tax, MOT or insurance that are used to transport rubbish that is fly-tipped? (for example, the fly-tipping that occurred on the car wash site at the top of West Barnes Lane in May last year, see: <https://twitter.com/stephencrowe999>) This specific lack of action appears to be in line with a general policy on non-enforcement in these types of incident; why?
- what is being done to educate children and prevent knife crime across the borough? Please include the knife crime action plan in the agenda pack.
- what is the Borough Commander doing to press the Deputy Mayor for Policing to finalise the issue of whether Wimbledon police station will be closed or not?

It was AGREED that members of the Commission should forward any further specific questions to the Head of Democracy Services by 27 March so that these can also be sent to the Borough Commander.

Members also AGREED that they would focus their questioning on a few areas and that these should also be notified to the Borough Commander by the Head of Democracy Services so that she can bring colleagues with her where required:

- policy and response in relation to Traveller sites (in conjunction with written report from the council's Property Management and Review Manager already on the Commission's agenda for 24 April)
- future of Wimbledon police station
- how the BCU has impacted on police resourcing within the borough and how resources are flexed. In particular, the Commission is interested in the deployment and backfilling of Community Police Support Officers, particularly in areas with higher than average TNO rates

10 WORK PROGRAMME (Agenda Item 10)

The Commission RESOLVED to agree the work programme as set out in the report.